

ENTERED

January 09, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

JAVIER CHAVEZ,
Petitioner,

VS.

LORIE DAVIS,
Respondent.

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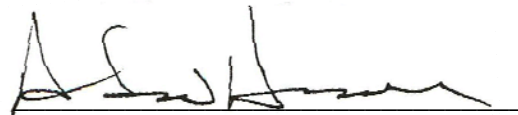
CIVIL NO. B-16-283

ORDER

On August 17, 2017, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 13]. Petitioner has objected [Doc. No. 16] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner objections, the Court hereby adopts the Magistrate Judge's Report and Recommendation. Therefore, Respondent Lorie Davis' motion for summary judgment is granted [Doc. No. 11]. Javier Chavez' petition for writ of habeas corpus by a person in state custody pursuant to 28 U.S.C. § 2254 [Doc. No. 1] is dismissed as untimely filed, or alternatively, denied as meritless. The issuance of a Certificate of Appealability is denied.

Signed this 9th day of January, 2018.



Andrew S. Hanen
United States District Judge